

Message

From: Epp, Timothy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=46B70972E0C7421A9A922EEAB6280211-TEPP]
Sent: 3/17/2022 5:25:43 PM
To: Talebian, Bobak (OIP) [Bobak.Talebian@usdoj.gov]; Steel, Lindsay (OIP) [Lindsay.Steel@usdoj.gov]; Hopkins, Karen N. (OIP) [Karen.N.Hopkins@usdoj.gov]
CC: Patricia Weth [weth.patricia@epa.gov]; Walker, Denise [Walker.Denise@epa.gov]
Subject: FW: Annual FOIA Update: DOJ Sunshine Week Awards

Hi Bobby, Lindsay, and Karen,

Forwarding below for your awareness the FOIA all-hands message that EPA Administrator Regan sent this morning. He included a link to Attorney General Garland's FOIA memo.

Thanks so much for your leadership in the Attorney General's decision to amplify the importance of FOIA implementation to this Administration.

Tim

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National FOIA Office
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From: Message from the Administrator <messagefromtheadministrator@epa.gov>
Sent: Thursday, March 17, 2022 10:08 AM
To: Message from the Administrator <messagefromtheadministrator@epa.gov>
Subject: Annual FOIA Update: DOJ Sunshine Week Awards



Dear Colleagues,

This is "Sunshine Week" – the annual celebration of transparent and open government. The Freedom of Information Act (FOIA) was signed into law by President Lyndon B. Johnson in 1966 to implement this bedrock principle of democracy and ensure that the public has the means to know what their government is up to. Implementing the FOIA is key for our work rebuilding trust with underserved communities, confronting

climate change, strengthening our nation's water systems, and protecting public health and the environment.

General Principles

Like all federal agencies, EPA is subject to the FOIA, which promotes accountability through transparency. Pursuant to the FOIA, any person has the right to access agency records, except where the information is protected from disclosure. This week, Attorney General Merrick Garland issued a memorandum emphasizing that “[t]ransparency in government operations is a priority of this Administration.” Read [Attorney General Garland's memo](#) on this topic.

EPA is committed to conducting its business in an open and transparent manner through high quality and timely FOIA responses. The agency will work to ensure that its FOIA professionals have the support needed to meet the FOIA's requirements in a timely and efficient manner, including by providing training for all agency staff, supervisors and FOIA professionals. EPA is committed to being a flagship example of transparent, efficient, and effective government.

We will work together to serve the public interest, ensure the public trust, and emphasize transparency, disclosure, and cooperation.

Transparency

EPA is committed to operating in a transparent manner. EPA offices and programs should strive, when possible, to proactively provide the public with access to information that is likely to be requested under the FOIA to better assist the public to participate and engage with the agency.

I encourage offices to identify information useful to the public and consider the best ways to make that information accessible on the agency's website, without waiting for a request from the public to do so. EPA has many web-based tools and databases that allow the public to learn about environmental information and EPA's actions in their neighborhoods and communities – where people live, work and play. As EPA continues to expand the information and data we collect, we also must continually look for new and better ways to make the information available to the public.

Disclosure

The FOIA's presumption of openness requires EPA to disclose information unless it reasonably foresees that disclosure would cause harm to an interest protected by one of nine FOIA exemptions. Those interests include personal privacy, confidential business information, national security, privileged communications, and law enforcement.

All agency personnel should ensure that this principle of openness is applied when responding to a FOIA request. Managers should give their staff and the agency's FOIA professionals the support needed to satisfy FOIA's transparency requirement in as timely and efficient a manner as possible. EPA's FOIA Regulations are available on the [Code of Federal Regulations](#).

Cooperation

The FOIA is everyone's responsibility at EPA. Agency FOIA professionals, managers, record custodians, reviewers, eDiscovery service professionals, public affairs staff, attorneys, and many others must coordinate to maintain and improve our FOIA program. In addition, we will endeavor to provide excellent customer service to the public by adhering to FOIA best practices including good communication with requesters, the provision of interim responses where possible, and the proactive release of records. When we work together, the FOIA works better.

FOIA Innovation and Improvement

I encourage all staff and agency FOIA professionals to continue to offer innovative ideas to improve FOIA processing. The agency has a backlog of overdue FOIAs, and we are committed to reduce and eliminate that backlog and to improve and increase our communication with FOIA requesters and the public.

The agency will continue FOIA training for all staff coordinated by the National FOIA Office in the Office of General Counsel. These training efforts and continued annual training of all staff will help ensure that the agency is responding effectively and efficiently to FOIA requests and leveraging available technological resources. The FY 2022 FOIA training for all EPA and a new training for supervisors is available in FedTalent. You may also access various FOIA resources, including the [FOIA Toolkit](#), and additional trainings on the [EPA National FOIA Office SharePoint site](#).

Questions about processing, or whether FOIA exemptions apply to certain information, can be directed to local FOIA professionals, the Office of General Counsel, and the Offices of Regional Counsel. Questions about FOIA policy, procedures, appeals, and litigation should be directed to the appropriate components in the Office of General Counsel.

Celebrating FOIA Implementation

The Department of Justice's Virtual Celebration included a Sunshine Week Kickoff with a presentation of Sunshine Week FOIA Awards. I am proud that five EPA FOIA Professionals received Sunshine Week Awards:

- Sabrina Hamilton (OAR) received a Lifetime Service Award
- Stephanie Kercheval (Region 10) received a Lifetime Service Award
- Linda Person (OGC) received a Lifetime Service Award
- Emily Kroloff (OAR), received an Outstanding Contributions by a New Employee Award
- Dianna Risko (Region 8) received an Outstanding Contributions by a New Employee Award

Please join me in congratulating them!

Conclusion

I look forward to working with you to enhance our implementation of the Freedom of Information Act as we work together to restore public confidence in our agency and our mission. Promoting transparency, information disclosure, and cooperation through FOIA implementation will help us achieve the agency's mission to protect human health and the environment and to achieve our ambitious goals.

Michael S. Regan
Administrator